

**MINUTES OF THE  
EIGHTH REGULAR MEETING OF THE  
2001 REAPPORTIONMENT COMMISSION**

**August 2, 2001  
2:00 p.m.**

**Hawaii State Capitol  
Room 329  
Honolulu, Hawaii**

**Commissioners in Attendance:**

Mr. Wayne K. Minami, Chairperson  
Mr. Deron K. Akiona  
Ms. Jill E. Frierson  
Ms. Lori Hoo  
Mr. Shelton Jim On  
Mr. Lynn C. Kinney  
Mr. Kenneth T.G. Lum  
Mr. Harold S. Masumoto  
Mr. David Rae

**Advisory Council in Attendance:**

Mr. Stephen Goodenow, Oahu  
Mr. Jim Hall, Oahu  
Mr. Robert Ogawa, Oahu  
Ms. Geal Talbert, Oahu  
Mr. Frank Jung, Hawaii  
Ms. Shirley Spencer, Hawaii  
Ms. Georgine Busch, Hawaii  
Mr. Wayne Metcalf, Hawaii  
Mr. Mark Andrews, Maui  
Mr. Fred Rohlfing, Maui  
Ms. Madge Schaefer, Maui  
Mr. Manuel Moniz, Maui  
Ms. Betty Chandler, Kauai  
Mr. Dennis Esaki, Kauai  
Mr. Jerome Hew, Kauai  
Ms. Trinette Kauai, Kauai

**Technical Support Staff in Attendance:**

Mr. Dwayne D. Yoshina, Office of Elections  
Mr. David Rosenbrock, Office of Elections/Reapportionment Staff

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Mr. Lawrence Chun, Office of Elections/Reapportionment Staff  
Ms. Cynthia Fukunaga, Office of Elections/Reapportionment Staff  
Mr. Strather Ing, Office of Elections/Reapportionment Staff  
Ms. Keala Naluai, Office of Elections/Reapportionment Staff  
Mr. Robynn Yokooji, Office of Elections  
Mr. Scott Nago, Office of Elections  
Mr. Rex Quidilla, Office of Elections  
Mr. Brian Aburano, Department of the Attorney General  
Mr. Aaron Schulaner, Department of the Attorney General

**Observers Present:**

Mr. Larry Meacham, Common Cause Hawaii  
Ms. Jean Aoki, League of Women Voters  
Mr. Marc Oto, Speaker of the House Office  
Mr. Glen Takahashi, City Clerks Office  
Mr. Pat Omandam, Honolulu Star Bulletin  
Ms. Lynne Matusow, Downtown Neighborhood Board  
Rep. Chris Halford, House of Representatives  
Ms. Roberta Weatherford, Representative Bertha Leong Office  
Mr. Clifton Takamura, Neighborhood Board 08  
Mr. Bob Carter, Senator Hemmings Office  
Mr. Nathan Takeuchi, Representative Roy Takumi Office  
Mr. Kevin Dayton, Honolulu Advertiser  
Ms. Tina Shelton, KHON TV News  
Ms. Mona Kapaku, Representative Bukoski Office  
Mr. Bert Warashina, Senate Office  
Mr. Henry Curtis, Life of the Land  
Mr. Mark Adams, Maui News  
Ms. Shannon Wood, The Koolau News  
Ms. Caroline Slugter, KITV News  
Mr. Bob Herkes  
Mr. M. Kido  
Mr. Melvin Ah Chi, Senator Sam Slom Office  
Ms. Wendy Miyashiro, Representative C. Djou Office  
Ms. Barbara Hale, State/House Hale  
Rep. Roy Takumi, House of Representatives  
Ms. Kii McMannen, Senator Chun Oakland Office

**I. Call to Order**

Chairperson, Wayne Minami, called the Eighth Regular Meeting of the 2001 Reapportionment Commission to order at 2:18 p.m. in Conference Room 329 of the Hawaii State Capitol, Honolulu, Hawaii.

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**II. Approval of Minutes**

Commissioner Jill Frierson moved to have the minutes of the Eighth Regular Meeting of the 2001 Reapportionment Commission on July 26, 2001 approved. Commissioner Deron Akiona seconded the motion. The motion was carried unanimously by the Commissioners in attendance.

**PROCEEDINGS**

**III. Selection of Vice-Chairperson**

Chairperson Minami asked the members of the Commission for nominations for a Vice-Chairperson for the 2001 Reapportionment Commission.

Commissioner Lori Hoo nominated Commissioner Frierson as Vice-Chairperson. Commissioner David Rae seconded the nomination. With no other discussion Commissioner Frierson was elected as the 2001 Reapportionment Commission Vice-Chairperson by a unanimous vote of all Commissioners present.

**IV. Advisory Councils Testimony**

**A. Testimony by Ms. Madge Schaefer, Maui Advisory Council Member**

Ms. Schaefer addressed the Commission again on the issue of non-resident military dependents. Ms. Schaefer said that Mark Adams, a reporter for the Maui News, had provided her with a fact sheet that outlined the 1992 constitutional amendment regarding the "permanent resident" population base. She feels that "the document clearly outlines what the intention of the constitutional amendment ballot session was."

Ms. Schaefer provided the Commission with a copy of the fact sheet that she said was prepared by the House Majority Staff and was provided to County Clerks throughout the state to give to each polling place. She reported that a copy was also sent to each person who requested an absentee ballot for the November 3, 1992 election.

Ms. Schaefer read parts of the Fact Sheet to the Commission and focused on Question #4, which she read:

**Question #4: Equal Representation of Permanent Residents**

"Shall the reapportionment commission use the total number of permanent residents instead of the number of registered voters as the reapportionment base?"

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During 1991, the Commission held public hearings and it was recommended that the legislature apportionment base be changed from registered voters to permanent residents. Initially, the Commission had intended that the population base would consist of permanent residents, derived from subtracting minors and nonresident military and their dependents from the total population figures provided in the 1990 Census. However, overwhelming testimony persuaded the Commission to include minors in the count.

The commission chose to use the number of permanent residents as the legislature apportionment base because the number of permanent residents was the base used in the last legislative reapportionment, the Proceedings of the Constitutional Convention of Hawaii in 1968 supported its use, the number of canoe districts was reduced, and there was no opposing legal precedent. Minors were included in the count of permanent residents because exclusion of children is contrary to Hawaiian tradition and several organizations testified that if minors were excluded, rural areas and certain ethnic groups such as Hawaiians would be underrepresented.

Ms. Schaefer mentioned to the Commission that with the inclusion of non-resident military dependents, the Commission is ignoring the opinion of 210,000 voters who voted in the November 3, 1992 election. Ms. Schaefer asked the Commission again to reconsider and take out the 41,430 non-resident dependents from the population base. She also asked the Commission to seek the opinion from the Attorney General's Office.

Commissioner Shelton Jim On requested that the Commission seek counsel from the Commission's Deputy Attorney General in Executive Session on the issue that Ms. Schaefer had brought forth to the Commission.

**B. Testimony by Ms. Georgine Busch, Hawaii Advisory Council**

Ms. Busch reported to the Commission that they have held a public meeting using videoconference sites in Hilo and Kona August 1, 2001. She expressed thanks to the Reapportionment Staff for their informative presentation.

Ms. Busch reported to the Commission some of the comments received at the meeting.

1. Public concern about the inclusion of aliens and non-resident military dependents in the population base. The Committee informed the public that the Commission decided on the population base and chose not to revisit the issue. Members of the public asked how other states look at the population base and how it is being handled. Ms. Busch asked that the Commission post that information on the website.

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2. The Hawaii Advisory Committee requested that the Commission look at and make additional adjustments to avoid a canoe district on the Big Island.
3. Ms. Busch read a resolution by the Hawaii Advisory Council to the Commission: "The Hawaii County Reapportionment Advisory Council requests that the following recommendation be made in the 2001 Reapportionment Commission final report. Future Reapportionment Commission membership should be determined on a proportional basis of total population to insure that each county has representation as well as a voice on the Commission. Currently the neighbor islands have no representation on the Commission while they make up 38% of the population."

Ms. Busch expressed gratitude for the work of the Commission and reported that the Hawaii County has been very responsive in the reapportionment process.

C. Testimony by Ms. Betty Chandler, Kauai Advisory Council

Ms. Chandler asked the Commission if there is only one plan at the present time. Chairperson Minami answered that the Commission will be voting on one plan to take to the public.

She asked if there are any alternate plans of the Senate districts. Commissioner Frierson said that the plans were made available pursuant to the Common Cause complaint. Ms. Chandler asked that the alternate plans be available on the website.

Ms. Chandler asked that if Kauai has to be canoed with Oahu that it be canoed with a rural district on Oahu. She also suggested that the Commission make clear to the public that the current plans are preliminary and are up for discussion.

D. Testimony by Dennis Esaki, Kauai Advisory Council

1. Canoe District – Mr. Esaki mentioned to the Commission that he has no problem with Anahola, Kauai being canoed with Waimanalo, Oahu.
2. Population Base – Mr. Esaki said that the Commission has done the proper thing in the decision of including and excluding certain groups in the population base. He feels that the Commission was not trying to benefit another island in the process.

**V. Public Testimony**

**A. Testimony by Lynne Matusow, Downtown Neighborhood board**

Ms. Matusow said that she would like to see more details on the Commission's proposed reapportionment maps so that she could determine the boundaries of the proposed new districts. She said that it is really difficult for the public to testify at today's meeting intelligently because they are unable to determine the boundaries of the proposed new districts. Ms. Matusow requested that the Commission push back their calendar another week to add street names on the maps for the public to review.

Commissioner Rae mentioned that the street names and issuing of maps will be discussed during the Public Information Committee report. Commissioner Rae emphasized that the Commission is not approving final maps at this meeting. What the Commission is approving are draft maps for public review.

**B. Testimony by Shannon Wood, The Koolau News**

1. Response to Ms. Schaefer's testimony – Ms. Wood testified that military dependents attend public schools, on and off base; they drive the roads, utilize public recreation areas and are an integral part of the community. Although they may not be permanent residents, they are in Hawaii for 3-6 years and many decide to stay in Hawaii. Ms. Wood would like the dependents to continue to be included in the population count.
2. Ms. Wood testified that it is difficult to determine the boundaries of the districts because there are no streets labeled. She had to do her own research to figure out the details.
3. Senatorial Districts on Windward Side of Oahu – Ms. Wood asked that the Commission reconsider the senatorial districts that have been drawn for Windward Oahu. She asked for more logic and rationality in the decision making process for the districts. Ms. Wood said that if the Commission feels that the senate districts on Windward Oahu should be canoed, instead of taking the district from Kailua/Waimanalo, take it from the Northern part of Windward Oahu, so that rural to rural districts would be combined. Ms. Wood also testified that the Big Island districting is a disaster and should be reconsidered.

**C. Testimony by Henry Curtis, Life of the Land**

Mr. Curtis asked the Commission if the Legislatures were shown the same level of detail as is shown to the public. He also asked that the street and neighborhood breakdown be shown before any decision takes place.

**VI. Decision Making on the House and Senate Legislative Districts**

Chairperson Minami mentioned to all those in attendance that this decision sets in place a proposed plan which will be the subject of public hearings throughout the islands. The final decision is scheduled for October. The Commission will be taking public testimony after a 20-day notice period. The 20-day period will start when the Commission is able to publish the plans with the required information (maps and descriptions). The public hearings are scheduled to start at the end of August.

Chairperson Minami moved that the Commission adopt the recommendations from the Technical Committee as the proposed plans for public hearings throughout the state.

Commissioner Jim On asked that the Commission go into executive session at this time in order to discuss the issues that have been raised by public testimony. He felt that the Commission should discuss those issues in executive session before they make a decision on the plans.

Commissioner Akiona moved that the Commission go into executive session to discuss with the Commission's counsel the issue of non-resident military dependents. Commissioner Kinney seconded the motion. The Commission went into executive session by a unanimous vote of the Commissioners present.

**VII. Executive Session**

At 2:48 p.m., the Commission went into executive session to discuss the issues as outlined previously with the legal counsel.

The Eighth Reapportionment Commission meeting was reconvened to the public at 3:56 p.m.

Chairperson Minami reported to the public that based on the information that has been presented by Ms. Schaefer, the Commission has decided to ask for the Attorney General's opinion on the matter. The Commission will defer action on the proposed House and Senate legislative districts.

**VIII. Public Hearing Schedule**

Chairperson Minami mentioned that the public hearing schedule will be deferred because the Commission does not have plans to take to the hearings.

**IX. Committee Reports**

**A. Public Information Committee**

Commissioner Rae reported the process that will take place when the draft plans are adopted.

1. The base maps, which will have the street names on them, will be sent to a number of libraries and the media for publication. The base maps will be made by the Reapportionment staff.
2. Diskettes will be available for the public at the Reapportionment office. The public can take these diskettes for use at their own discretion, i.e., to have maps printed at printers of their own choice. Individual requests for maps will not be fulfilled because the Reapportionment staff does not have the time or resource to print maps for the public.
3. Each Advisory Council will receive a set of maps and a diskette.
4. There will be an announcement as to which libraries will have the maps accessible and when diskettes can be picked up from the Reapportionment office.
5. The maps will be posted on the Reapportionment Commission's website showing street names.

**B. Technical Committee**

There is no report at this time

**XI. Support Services**

**C. GIS Staff Services Status Report**

Mr. Rosenbrock asked the Commission if the staff is going to continue with the plans that they are working on presently. Chairperson Minami said that the Commission has no approved plans at this moment and that everything is on hold. The Commission expects to receive an answer from the Attorney General before the meeting on Thursday, August 9, 2001.

**D. Administrative Staff Services Status Report**

There is no report at this time



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**XII. Correspondence and Announcements**

There was no correspondence or announcements reported

**XIII. Other Business**

There was no other business to discuss

**XIV. Adjournment**

There being no other business to discuss Commissioner Rae moved to adjourn the Eighth Meeting of the 2001 Reapportionment Commission. Commissioner Kinney seconded the motion.

The Eighth Regular Meeting of the 2001 Reapportionment Commission was adjourned at 4:00 p.m.

Respectfully submitted,

Dwayne D. Yoshina  
Chief Election Officer  
Secretary of the  
2001 Reapportionment Commission